

NOT FOR PUBLICATION

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DOMINICK GALLUZZO and
ANGELA GALLUZZO,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 15-2201 (CCC-MF)

ORDER

CECCHI, District Judge.

This matter comes before the Court on the motion of Defendant United States of America to dismiss the Complaint for lack of subject matter jurisdiction, pursuant to Federal Rule of Civil Procedure 12(b)(1), and for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). (ECF No. 6.) Plaintiffs Dominick Galluzzo and Angela Galluzzo (collectively, “Plaintiffs”) opposed Defendant’s motion. (ECF No. 8.) On November 4, 2015, Magistrate Judge Mark Falk issued a Report and Recommendation that Defendant’s motion to dismiss for lack of subject matter jurisdiction be granted. (ECF No. 13.) No objections have been filed thereto. The Court has considered the submissions of the parties, and Judge Falk’s Report and Recommendation, and for substantially the same reasons stated therein;

IT IS on this 30 day of November, 2015

ORDERED this Court adopts Judge Falk’s November 4, 2015 Report and Recommendation that Defendant’s motion to dismiss for lack of subject matter jurisdiction be granted; and it is further

ORDERED this case be dismissed without prejudice; and it is further

ORDERED the Clerk of the Court shall close the file in this matter.

SO ORDERED.

A handwritten signature in dark ink, appearing to read 'C. Cecchi', with a long horizontal flourish extending to the right.

CLAIRE C. CECCHI, U.S.D.J.